

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

PRISM TECHNOLOGIES LLC,

Plaintiff,

v.

PAYPAL, INC.,

Defendant.

Case No. 8:08-CV-196

**STIPULATION OF DISMISSAL
WITHOUT PREJUDICE**

Hon. Laurie Smith Camp

IT IS HEREBY STIPULATED by plaintiff, Prism Technologies LLC ("Prism") and defendant, PayPal, Inc. ("PayPal"), through their undersigned counsel, that:

1. All claims and counterclaims asserted by Prism and PayPal are hereby dismissed without prejudice.
2. Prism and PayPal shall each bear their own costs, expenses and fees.
3. Any future claims brought against PayPal involving either of United States Patent Nos. 5,745,574 or 5,850,442 must be filed in the Northern District of California.

SO STIPULATED, this 2nd day of January, 2009:

PRISM TECHNOLOGIES LLC

By: /s/ Robert A. Conley
Raymond P. Niro
Joseph N. Hosteny
David J. Mahalek
Robert A. Conley
NIRO, SCAVONE, HALLER & NIRO
181 West Madison Street, Suite 4600
Chicago, Illinois 60602
Telephone: 312-236-0733
Facsimile: 312-236-3137
rniro@nshn.com
jhosteny@nshn.com

PAYPAL, INC.

By: /s/ Joseph A. Micallef
Joseph A. Micallef
Robert N. Weiner
Matthew N. Bathon
John L. Newby II
Matthew D. Michael
ARNOLD & PORTER LLP
555 Twelfth Street, NW
Washington, DC 20004
Telephone: 202-942-5000
Facsimile: 202-942-5999
joseph.micallef@aporter.com

mahalek@nshn.com
rconley@nshn.com

and

Michael C. Cox (18755)
Daniel J. Fischer (22272)
KOLEY JESSEN, P.C., L.L.O.
One Pacific Place
1125 South 103rd Street, Suite 800
Omaha, Nebraska, 68124
Telephone: 402-390-9500
Facsimile: 402-390-9500
Michael.Cox@koleyjessen.com
Dan.Fischer@koleyjessen.com

Attorneys for Plaintiff

robert.weiner@aporter.com
matthew.bathon@aporter.com
john.newby@aporter.com
matthew.michael@aporter.com

and

Michael K. Huffer
Charles F. Gotch
CASSEM TIERNEY ADAMS
GOTCH & DOUGLAS
8805 Indian Hills Drive, Suite 300
Omaha, Nebraska 68114-4070
Telephone: 402-390-0300
Facsimile: 402-390-9676
mhuffer@ctagd.com
cgotch@ctagd.com

Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on January 2, 2009, I electronically filed the foregoing **STIPULATION OF DISMISSAL WITHOUT PREJUDICE** with the Clerk of Court using the CM/ECF system, which will send notification of such filing to:

ARNOLD & PORTER LLP

Joseph A. Micallef (joseph.micallef@aporter.com)
Robert N. Weiner (robert.weiner@aporter.com)
Matthew N. Bathon (matthew.bathon@aporter.com)
John L. Newby II (john.newby@aporter.com)
Matthew D. Michael (matthew.michael@aporter.com)
555 Twelfth Street, NW
Washington, DC 20004
Telephone: 202.942.5000
Facsimile: 202.942.5999

CASSEM TIERNEY ADAMS GOTCH & DOUGLAS

Michael K. Huffer (mhuffer@ctagd.com)
Charles F. Gotch (cgotch@ctagd.com)
8805 Indian Hills Drive, Suite 300
Omaha, Nebraska 68114-4070
Telephone: 402.390.0300
Facsimile: 402.390.9676

ORRICK, HERRINGTON & SUTCLIFFE LLC

Richard Swope (rswope@orrick.com)
Gabriel M. Ramsey (gramsey@orrick.com)
G. Hopkins Guy, III (hopguy@orrick.com)
Ahmed Ghappour (aghappour@orrick.com)
Vickie L. Feeman (vfeeman@orrick.com)
1000 Marsh Road
Menlo Park, California 94025
Telephone: 650.614.7400
Facsimile: 650.614.7401

FRASER STRYKER PC LLO

Michael F. Coyle (mcoyle@fraserstryker.com)
Roger L. Shiffermiller (RShiffermiller@fslf.com)
Patrick S. Cooper (pcooper@fraserstryker.com)

500 Energy Plaza
409 S. 17th Street
Omaha, Nebraska 68102-2663
Telephone: 402.341.6000
Facsimile: 402.341.8290

/s/ Robert A. Conley
Attorney for Prism Technologies LLC